

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

RAY SAM

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_

(c) Attorney's (Firm Name, Address, Telephone Number and Email Address)

Craig Thor Kimmel, Esquire  
Kimmel & Silverman, P.C.  
30 E. Butler Pike  
Ambler, PA 19002  
(215) 540-8888

**DEFENDANTS**

NCO FINANCIAL SYSTEMS, INC.

County of Residence of First Listed Defendant \_\_\_\_\_

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |  | PTF                        | DEF                        |
|---|----------------------------|----------------------------|--|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated <i>or</i> Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated <i>and</i> Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation   | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 U.S.C SECTION 1692

Brief description of cause:

Fair Debt Collection Practices Act

**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND:

☒ Yes ☐ No**VIII. RELATED CASE(S)**

(See instructions):

JUDGE \_\_\_\_\_

DOCKET NUMBER \_\_\_\_\_

Explanation:

DATE

SIGNATURE OF ATTORNEY OF RECORD

11/05/2012

/s/ Craig Thor Kimmel

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

RAY SAM	.	:	
		:	
	v.	:	CIVIL ACTION
		:	
		:	NO.
NCO FINANCIAL SYSTEMS, INC.		:	
		:	

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ( )
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. (X)
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ( )

11/05/2012  
Date

Craig Thor Kimmel  
Attorney-at-law

Plaintiff, Sam Ray  
Attorney for

215-540-8888  
Telephone

877-788-2864  
FAX Number

kimmel@creditlaw.com  
E-Mail Address

**FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.**

Address of Plaintiff: 20100 Park Row Drive, Apt. 502, Katy, TX 77449

Address of Defendant: 507 Prudential Road, Horsham, PA 19044

Place of Accident, Incident or Transaction: \_\_\_\_\_  
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?  
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a)) Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities? Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: \_\_\_\_\_ Judge \_\_\_\_\_ Date Terminated: \_\_\_\_\_

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?  
Yes ☐ No ☒
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?  
Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

**A. Federal Question Cases:**

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☒ All other Federal Question Cases  
(Please specify) 15 U.S.C. § 1692

**B. Diversity Jurisdiction Cases:**

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases  
(Please specify) \_\_\_\_\_

**ARBITRATION CERTIFICATION**

(Check Appropriate Category)

I, Craig Thor Kimmel, counsel of record do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;
- ☐ Relief other than monetary damages is sought.

DATE: 11/05/2012 /s/ Craig Thor Kimmel 57100  
Attorney-at-Law Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 11/05/2012 /s/ Craig Thor Kimmel 57100  
Attorney-at-Law Attorney I.D.#

1  
2 **IN THE UNITED STATES DISTRICT COURT**  
3 **FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

4 RAY SAM, )  
5 )  
6 Plaintiff )  
7 )  
7 v. ) **Case No.:**  
8 )  
8 NCO FINANCIAL SYSTEMS, INC., ) **COMPLAINT AND DEMAND FOR**  
9 ) **JURY TRIAL**  
9 Defendant )  
10 ) **(Unlawful Debt Collection Practices)**

---

11 **COMPLAINT**

12  
13 RAY SAM (“Plaintiff”), by and through his attorneys, KIMMEL &  
14 SILVERMAN, P.C., alleges the following against NCO FINANCIAL SYSTEMS,  
15 INC. (“Defendant”):

16  
17 **INTRODUCTION**

18 1. Plaintiff’s Complaint is based on the Fair Debt Collection Practices  
19 Act, 15 U.S.C. § 1692 *et seq.* (FDCPA).

20 **JURISDICTION AND VENUE**

21  
22 2. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d),  
23 which states that such actions may be brought and heard before “any appropriate  
24 United States district court without regard to the amount in controversy,” and 28  
25

1 U.S.C. § 1331 grants this court original jurisdiction of all civil actions arising  
2 under the laws of the United States.

3  
4 3. Defendant conducts business and has its principal office in the  
5 Commonwealth of Pennsylvania, and therefore, personal jurisdiction is  
6 established.

7 4. Venue is proper pursuant to 28 U.S.C. §1391(b)(1).  
8

9 **PARTIES**

10 5. Plaintiff is a natural person residing in Katy, Texas 77449.

11 6. Plaintiff is a “consumer” as that term is defined by 15 U.S.C. §  
12 1692a(3).  
13

14 7. In the alternative, Plaintiff is a person granted a cause of action under  
15 the FDCPA. See 15 U.S.C. § 1692k(a) and Wenrich v. Cole, 2000 U.S. Dist.  
16 LEXIS 18687 (E.D. Pa. Dec. 22, 2000).  
17

18 8. Defendant is a national debt collection company with its corporate  
19 headquarters located at 507 Prudential Road, Horsham, Pennsylvania, 19044-  
20 2308.

21 9. Defendant is a debt collector as that term is defined by 15 U.S.C. §  
22 1692a(6) and repeatedly contacted Plaintiff in an attempt to collect a debt.  
23  
24  
25

1           10. Defendant acted through its agents, employees, officers, members,  
2 directors, heirs, successors, assigns, principals, trustees, sureties, subrogees,  
3 representatives, and insurers.  
4

5                                   **FACTUAL ALLEGATIONS**

6           11. At all pertinent times hereto, Defendant was hired to collect a  
7 consumer debt(s) and repeatedly contacted Plaintiff in its attempts to collect the  
8 debt(s).  
9

10          12. The alleged debt(s) at issue arose out of transactions, which were  
11 primarily for personal, family, or household purposes.  
12

13          13. Plaintiff disputes owing the alleged debt(s).  
14

15          14. Beginning in August 2012, Defendant constantly and continuously  
16 placed collection calls to Plaintiff on his cellular telephone seeking and demanding  
17 payment for an alleged debt.  
18

19          15. Plaintiff received collection calls from the following numbers: (800)  
20 220-2274, which the undersigned has confirmed is a telephone number belonging  
21 to Defendant.  
22

23          16. Defendant contacted Plaintiff, on average, two (2) to four (4) times a  
24 day in its attempts to collect a debt, causing Plaintiff to receive more than ten (10)  
25 collection calls a week.

1           17. It was inconvenient for Plaintiff to receive Defendant's collection  
2 calls, as they were received, many times, while Plaintiff was at work.

3           18. Plaintiff's employer does not allow him to receive personal calls at  
4 work.  
5

6           19. On numerous occasions, Plaintiff instructed Defendant not to contact  
7 him at work; however, Defendant continued to call him at work.  
8

9           20. On one occasion, Defendant contacted Plaintiff's secretary, who also  
10 instructed Defendant to stop calling Plaintiff while he was at work.

11           21. In addition to communicating with Plaintiff at places where it was  
12 inconvenient for him to receive debt collection calls, Defendant called Plaintiff at  
13 times where it was inconvenient for him to receive debt collection calls.  
14

15           22. Specifically, on at least one occasion, Defendant contacted Plaintiff at  
16 10:30 p.m. on his cellular telephone.

17           23. Further, in its attempts to collect a debt, Defendant threatened  
18 Plaintiff that he would be arrested if he did not pay the alleged debt.  
19

20           24. In Texas, non-payment of a debt is not a crime and a person cannot be  
21 arrested for not paying his/her debts.  
22

23           25. Defendant made this false statement to Plaintiff in order to cause fear  
24 and apprehension in Plaintiff, believing that to do so would cause Plaintiff to make  
25 payment on the alleged debt.

1           26. In response to its threat that he would be arrested, Plaintiff told  
2 Defendant to stop calling him.

3           27. Later that evening, Defendant called him, with the intent to annoy,  
4 abuse, and harass Plaintiff, as it knew he did not want to receive its calls.  
5

6           28. Further, Defendant threatened Plaintiff that he would “lose everything  
7 he owned” if he did not pay the alleged debt.  
8

9           29. Again, at the time Defendant made this false statement, Defendant did  
10 not intend to take Plaintiff’s property to satisfy the debt and did not have the legal  
11 authority to do so either.

12           30. Additionally, Defendant deceptively claimed that it was taking  
13 Plaintiff to Court and would sue him, as well as serving his employer with  
14 documents about the debt, if he did not make payment that same day.  
15

16           31. Once again, at the time Defendant made this false statement,  
17 Defendant did not intend to take sue Plaintiff or serve any paperwork on his  
18 employer and did not have the legal authority to do so either.  
19

20           32. Lastly, on four (4) occasions, Plaintiff requested that Defendant send  
21 him validation of the alleged debt(s); however, Defendant did not do so, and  
22 instead persisted in calling Plaintiff.  
23

24           33. Defendant conducted its debt collection activities in ways that were  
25 factually misrepresented and in violation of the FDCPA.



**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES  
ACT**

34. Defendant violated the FDCPA based on the following:

**COUNT I**

a. A debt collector violates §1692c(a)(1) of the FDCPA by communicating with a consumer in connection with the collection of any debt at any unusual time or place or a time or place known or which should be known to be inconvenient to the consumer. In absence of knowledge of circumstances to the contrary, a debt collector shall assume that the convenient time for communicating with a consumer is after 8:00 a.m. and before 9:00 p.m., local time at the consumer's location.

b. Here, Defendant violated §1692c(a)(1) of the FDCPA when it called Plaintiff after 9:00 p.m.

**COUNT II**

c. A debt collector violates §1692c(a)(3) of the FDCPA by communicating with a consumer in connection with the collection of any debt at the consumer's place of employment if the debt collector knows or has reason to know that the consumer's employer prohibits the consumer from receiving such communication.

1 d. Defendant violated §1692c(a)(3) of the FDCPA when it  
2 communicated with Plaintiff about a debt at his place of  
3 employment, after having been told repeatedly by Plaintiff that his  
4 employer prohibited him from receiving personal calls at work.  
5

6 **COUNT III**

- 7 a. A debt collector violates §1692d of the FDCPA by engaging in  
8 conduct the natural consequence of which is to harass, oppress, or  
9 abuse any person in connection with the collection of a debt.  
10  
11 b. A debt collector violates §1692d(5) of the FDCPA by causing a  
12 telephone to ring or engaging any person in telephone conversation  
13 repeatedly or continuously with intent to annoy, abuse, or harass  
14 any person at the called number.  
15  
16 c. Here, Defendant violated §§1692d and 1692d(5) of the FDCPA  
17 when it called Plaintiff multiple times a day, numerous days a  
18 week, causing him to receive more than ten (10) collection calls a  
19 week.  
20

21 **COUNT IV**

- 22 a. A debt collector violates §1692e of the FDCPA by using false,  
23 deceptive or misleading representations or means in connection with  
24 the collection of any debt.  
25

1 b. A debt collector violates §1692e(4) of the FDCPA by representing or  
2 implicating that nonpayment of any debt will result in the arrest or  
3 imprisonment of any person or the seizure, garnishment, attachment,  
4 or sale of any property or wages of any person unless such action is  
5 lawful and the debt collector or creditor intends to take such action.  
6

7 c. A debt collector violates §1692e(5) of the FDCPA by threatening to  
8 take any action that cannot legally be taken or that is not intended to  
9 be taken.  
10

11 d. A debt collector violates §1692e(7) of the FDCPA by falsely  
12 representing or implicating that the consumer committed any crime or  
13 other conduct in order to disgrace the customer.  
14

15 e. Here, Defendant violated §§1692e, 1692e(4) and 1692e(7) of the  
16 FDCPA by claiming that Plaintiff would be arrested if he failed to  
17 make a payment on the alleged debt as well as claiming that Plaintiff  
18 would lose his property for nonpayment of a debt.  
19

20 f. Further, Defendant violated §§1692e and 1692e(5) of the FDCPA by  
21 claiming that it would take legal action against him when it did not  
22 intend to take any such action.  
23

## 24 **COUNT V**

25 a. A debt collector violates §1692f of the FDCPA by using unfair or

1 unconscionable means to collect or attempt to collect any debt.

2 b. Here, Defendant violated §1692f of the FDCPA engaging in other  
3 unfair and unconscionable debt collection practices, including  
4 threatening to contact Plaintiff's employer and not providing him  
5 information about the alleged debt.  
6

7 35. As a direct and proximate result of one or more or all of the statutory  
8 violations above, Plaintiff has suffered emotional distress.  
9

10 WHEREFORE, Plaintiff, RAY SAM, respectfully requests judgment be  
11 entered against Defendant, NCO FINANCIAL SYSTEMS, INC., for the  
12 following:  
13

- 14 a. All actual damages suffered pursuant to 15 U.S.C. § 1692k(a)(1);  
15 b. Statutory damages of \$1,000.00 for the violation for the FDCPA  
16 pursuant to 15 U.S.C. §1692k(a)(2)(A);  
17 c. Costs and reasonable attorneys' fees pursuant to the Fair Debt  
18 Collection Practices Act, 15 U.S.C. § 1692k(a)(3); and  
19 d. Any other relief that this Honorable Court deems appropriate.  
20  
21  
22  
23  
24  
25

**DEMAND FOR JURY TRIAL**

PLEASE TAKE NOTICE that Plaintiff, RAY SAM, demands a jury trial in this case.

RESPECTFULLY SUBMITTED,

DATED: 11/05/2012

KIMMEL & SILVERMAN, P.C.

By: /s/ Craig Thor Kimmel

Craig Thor Kimmel

Attorney ID # 57100

Kimmel & Silverman, P.C.

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